

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Zachary J. Combs

Docket No. 5:13-MJ-1776-1

Petition for Action on Probation

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Zachary J. Combs, who, upon an earlier plea of guilty to 18 U.S.C. §13, assimilating N.C.G.S. 20-138.1, Driving While Impaired, Level - 5, was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on November 5, 2013, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until privilege to do so is restored in accordance with law.

On December 20, 2013, the conditions of probation were modified to include 24 additional hours of community service after the defendant committed the offense of Driving While License Revoked on December 7, 2013, in Wake County, North Carolina.

On July 17, 2014, the conditions of probation were modified to include the drug aftercare and alcohol abstinence special condition.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant has been battling an addiction with alcohol and was originally going to enter into inpatient treatment in Mississippi. The defendant is self employed and has been successful with his business but knows if he is gone for an extended period of time, his wife and six children will suffer financially. The defendant has been referred locally for outpatient substance abuse treatment and it is now recommended that the Remote Alcohol Monitoring special condition be added to allow us to monitor his compliance with his conditions of probation and for him to be allowed to provide for his family.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 60 consecutive days. The defendant shall comply with the program procedures and shall pay all costs associated with remote alcohol monitoring services.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: July 22, 2014

ORDER OF COURT

Considered and ordered this 24th day of July, 2014, and ordered filed and made a part of the records in the above case.



James E. Gates
U.S. Magistrate Judge